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July 10, 2009 1:19 PM

TRACEY CORDES, CLERK
U.S. DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
BY: _____ / _____

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN

UNITED RENTALS, INC., and
UNITED RENTALS (NORTH AMERICA), Inc.,

      Plaintiffs,

-vs-

EFFICIENCY PRODUCTION, INC.,

      Defendant.

# 1:09-mc-80

**Robert J. Jonker**
**US District Judge**

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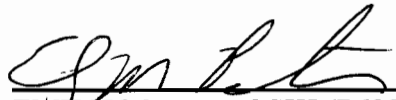## MOTION FOR CONTEMPT AND TO COMPEL ENFORCEMENT OF SUBPOENA

Plaintiffs United Rentals, Inc., and United Rentals (North America), Inc. ("Plaintiffs" or "United")), by and through their attorneys, Jackson Lewis LLP, and pursuant to Fed. R. Civ. P. 45, move this Court for an order holding Efficiency Production, Inc. ("EPI") in contempt, and compelling enforcement of the subpoena served on EPI on June 18, 2009.

In support of their Motion, Plaintiffs file, and fully incorporate by reference herein, their Brief in Support of Motion for Contempt and to Compel Enforcement of Subpoena. Concurrence in the relief sought in this Motion was requested of Defendant's counsel via written communications on July 6, 2009, but to date Defendant has failed to produce records responsive to the subpoena. Hence, it is necessary to bring this Motion before the Court.

WHEREFORE, Plaintiffs request that this Court grant their Motion and enter an order holding EPI in contempt, compelling EPI to produce records responsive to the subpoena served on EPI on June 18, 2009, and awarding Plaintiffs their costs, interest and attorney fees as allowed by law.

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Date: July 10, 2009

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